

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

In the Matter of

CERTAIN POLYETHYLENE
TEREPHTHALATE YARN AND
PRODUCTS CONTAINING SAME

Inv. No. 337-TA-457

**NOTICE OF DECISION TO EXTEND THE DEADLINE FOR DETERMINING
WHETHER TO REVIEW AN INITIAL DETERMINATION GRANTING-IN-PART
A MOTION FOR SUMMARY DETERMINATION OF
INFRINGEMENT AND INVALIDITY**

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend by fifteen (15) days, or until March 21, 2002, the deadline for determining whether to review an initial determination (ID) (Order No. 61) issued by the presiding administrative law judge (ALJ) in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, SW., Washington, D.C. 20436, telephone 202-205-3104. Copies of all nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street SW., Washington, D.C. 20436, telephone 202-205-2000. General information concerning the Commission may also be obtained by accessing its Internet server (<http://www.usitc.gov>). The public record for this investigation may be viewed on the Commission's electronic docket (EDIS-ON-LINE) at <http://dockets.usitc.gov/eol/public>. Hearing-impaired persons are advised that information on the matter can be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on May 17, 2001, based on a complaint filed by Honeywell International Inc. of Morristown, New Jersey alleging a violation of section 337 of the Tariff Act of 1930 in the importation, sale for importation, and sale after importation of certain polyethylene terephthalate yarn and products containing same that infringed U.S. Letters Patent 5,630,976 (the '976 patent). 66 *Fed. Reg.* 27586. The complainant named Hyosung Corporation of Seoul, Korea (Hyosung) as the only respondent. On September 21, 2001, the Commission determined not

to review an ID by the ALJ to add Hyosung America, Inc., a wholly-owned U.S. subsidiary of Hyosung, as a second respondent.

On February 4, 2002 the ALJ issued an ID granting-in-part Hyosung's motion for summary determination of non-infringement and invalidity of the '976 patent.

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and section 210.42(h)(3) of the Commission of Practice and Procedure, 19 C.F.R. § 210.42(h)(3).

By order of the Commission.

Marilyn R. Abbott
Secretary

Issued: March 21, 2002